



~~May 16, 2006 CPC~~
~~July 18, 2006 CPC~~
~~September 19, 2006 CPC~~
~~January 16, 2007 CPC~~
~~April 17, 2007 CPC~~
~~May 23, 2007 BS~~
~~June 27, 2007 BS~~

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0256

Henry E. Myers, Jr.
(General Partner of Myers Family Partnership)

Dale Magisterial District
Southeast quadrant of Frith Lane and Lori Road

REQUEST: Rezoning from Agricultural (A) to Corporate Office (O-2).

PROPOSED LAND USE:

Office uses are planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND DENIAL.

AYES: MESSRS. GECKER, GULLEY, LITTON AND WILSON.
NAY: MR. BASS

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed zoning and land uses conform to the Central Area Plan which suggests the property is appropriate for mixed use corridor uses to include office and residential.
- B. The proposed zoning and land uses are representative of, and compatible with, existing and anticipated area development.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS

NOTED WITH “STAFF/CPC” WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A “STAFF” ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A “CPC” ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITION

(STAFF) Public wastewater system shall be used. (U)

GENERAL INFORMATION

Location:

Southeast quadrant of the intersection of Lori Road and Frith Lane. Tax ID 769-663-Part of 9114 (Sheet 25).

Existing Zoning:

A

Size:

6.9 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North and West– R-TH and A; Townhouses and single family residential
South and East; – A; Vacant

UTILITIES

Public Water System:

There is an existing eight (8) inch extending along the north side of Lori Road, opposite the request site. Use of the public water system is required by County Code.

Public Wastewater System:

A ten (10) inch wastewater sub-trunk line extends across Lori Road and continues across the eastern portion of the Myers property not proposed for rezoning, approximately 400 feet southeast of the request site. Use of the public wastewater system is intended and has been proffered. (Proffered Condition)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the north and then via storm sewers and open channels to Proctor's Creek. There are currently no known on- or off-site drainage or erosion problems and none are anticipated after development. The entire property exhibits characteristics of wetlands and these wetlands may or may not exist in the portion of the property being requested for re-zoning.

PUBLIC FACILITIES

Fire Service:

Airport Fire Station, Company Number 15, currently provides fire protection and emergency medical service (EMS). This request will have a minimal impact on fire and EMS.

Transportation:

This request will not limit development to a specific land use; therefore, it is difficult to anticipate traffic generation. Based on general office trip rates, development could generate approximately 850 average daily trips. Traffic generated by this development will be distributed along Iron Bridge Road (Route 10), which had a 2004 traffic volume of 26,520 vehicles per day between Beach Road and Route 288. Based on the volume of traffic it carried during peak hours, Route 10 in this area was functioning at an acceptable level. (Level of Service C)

During site plan review, specific recommendations will be made regarding access and internal circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Central Area Plan which suggests the property is appropriate for mixed use corridor uses which includes office and residential land uses.

Area Development Trends:

The area is characterized by Chesterfield County governmental uses and residential land uses. The parent parcel is zoned Agricultural (A), and it is staff's understanding the existence of wetlands may hinder development of that portion of the property.

Development Standards:

The request property currently lies within an Emerging Growth Area. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. Development of the site must conform to the development standards of the Zoning Ordinance, which address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities and screening of dumpsters and loading areas.

Architectural Treatment:

In addition to Emerging Growth District requirements for architectural treatment, the Zoning Ordinance requires that buildings in this area be compatible with Federalist and Colonial architecture and be compatible with buildings located in the same block or directly across the road, unless otherwise approved by the Director of Planning based upon existence of buildings not meeting the standards.

CONCLUSION

The proposed zoning and land uses conform to the Central Area Plan, which suggests the property is appropriate for mixed use corridor use. In addition, the proposed zoning and land uses are representative of, and compatible with, existing and anticipated area development.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (5/16/06):

At the request of the applicant, the Commission deferred this case to July 18, 2006.

Staff (5/17/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than May 22, 2006, for consideration at the Commission's July 18, 2006, public hearing.

Also, the applicant was advised that a \$130.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (6/1/06):

The deferral fee was paid.

Staff (6/28/06):

To date, no new information has been submitted. At the request of the Dale District Commissioner, a community meeting has been scheduled on this request for July 31, 2006.

Planning Commission Meeting (7/18/06):

On their own motion, the Commission deferred this case to September 19, 2006.

Staff (7/19/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than July 24, 2006, for consideration at the Commission's September 19, 2006, public hearing.

Area Property Owners, Applicant Staff and Dale District Commissioner (7/31/06):

A meeting was held to discuss this case. Concerns were expressed relative to the impact of the proposal on Lori Road, to include buffers, setbacks, access and traffic; and the need to establish a plan of development for the entire parent parcel.

Staff (8/28/06):

To date, no new information has been submitted.

Planning Commission Meeting (9/19/06):

At the request of the applicant, the Commission deferred this case to January 16, 2007.

Staff (9/21/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than November 13, 2006 for consideration at the Commission's January 16, 2007, public hearing. Also, the applicant was advised that a \$130.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (12/4/06):

To date, no new information has been submitted. The deferral fee has not been paid.

Applicant (1/8/07):

The deferral fee was paid.

Planning Commission Meeting (1/16/07):

At the request of the applicant, the Commission deferred this case to April 17, 2007.

Staff (1/17/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than February 12, 2007, for consideration at the Commission's April 17, 2007, public hearing. Also, the applicant was advised that a \$130.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (4/6/07):

To date, no new information has been submitted. The \$130.00 deferral fee was paid.

Planning Commission Meeting (4/17/07):

The applicant accepted staff's recommendation, but did not accept the Commission's recommendation.

There was opposition present expressing concerns relative to access to Lori Road and the resulting traffic impact.

Mr. Litton indicated that he had attempted to work with property owners to develop an access plan for the area which would provide access from this property through the parent parcel (of the subject property) to the south; however, the applicant had been unwilling to address such a proposal. He indicated that sole access to Lori Road would only exacerbate the congestion at the Lori Road/Beach Road/Ironbridge Road intersection.

On motion of Mr. Litton, seconded by Mr. Wilson, the Commission recommended denial.

AYES: Messrs. Gecker, Gulley, Litton and Wilson.

NAY: Mr. Bass

Board of Supervisor Meeting (5/23/07):

On their own motion, the Board deferred this case to their June 27, 2007, meeting.

Staff (5/24/07):

The applicant was advised in writing that any significant new or revised information should be submitted no later than May 29, 2007 for consideration at the Board's July public hearing.

Staff (6/5/07):

To date, no new information has been submitted.

The Board of Supervisors, on Wednesday, June 27, 2007, beginning at 6:30 p.m., will take under consideration this request.

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